



DEPARTMENT OF THE NAVY  
BOARD FOR CORRECTION OF NAVAL RECORDS  
2 NAVY ANNEX  
WASHINGTON DC 20370-5100

HD:hd  
Docket No: 02284-00  
17 July 2000

LCDR [REDACTED] USN

Dear Commander [REDACTED]:

This is in reference to your application for correction of your naval record pursuant to the provisions of title 10 of the United States Code, section 1552. You requested that your record be corrected to reflect that you received a SPOT promotion to lieutenant commander effective 22 April 1998.

A three-member panel of the Board for Correction of Naval Records, sitting in executive session, considered your application on 13 July 2000. Your allegations of error and injustice were reviewed in accordance with administrative regulations and procedures applicable to the proceedings of this Board. Documentary material considered by the Board consisted of your application, together with all material submitted in support thereof, your naval record and applicable statutes, regulations and policies. In addition, the Board considered the advisory opinion furnished by the Navy Personnel Command dated 22 May 2000, a copy of which is attached. The Board also considered your letter dated 26 June 2000 with first endorsement.

After careful and conscientious consideration of the entire record, the Board found that the evidence submitted was insufficient to establish the existence of probable material error or injustice warranting the requested correction of your record. They did recognize that your command made an administrative error by failing to recommend you for a SPOT promotion before 10 November 1998, when your billet was removed from the list of SPOT billets. However, in the absence of your having been selected by any SPOT promotion selection board, the Board was unable to find that you would have been selected for a SPOT promotion, had you been considered as you should have been. In view of the above, your application has been denied. The names and votes of the members of the panel will be furnished upon request.

It is regretted that the circumstances of your case are such that favorable action cannot be taken. You are entitled to have the Board reconsider its decision upon submission of new and material evidence or other matter not previously considered by the Board. In this regard, it is important to keep in mind that a presumption of regularity attaches to all official

records. Consequently, when applying for a correction of an official naval record, the burden is on the applicant to demonstrate the existence of probable material error or injustice.

Sincerely,

W. DEAN PFEIFFER  
Executive Director

Enclosure



DEPARTMENT OF THE NAVY  
BUREAU OF NAVAL PERSONNEL  
5720 INTEGRITY DRIVE  
MILLINGTON TN 38055-0000

2284-00

5420  
PERS 85  
22 May 00

MEMORANDUM FOR BCNR

Via: BUPERS/BCNR Coordinator

Subj: LT [REDACTED] USN [REDACTED]

Ref: (a) SECNAVINST 1421.3H

Encl: (1) BCNR File

1. Enclosure (1) is returned, recommending disapproval of [REDACTED] request.
2. In accordance with reference (a) retroactive appointments and back pay are not authorized for spot promotions.

[REDACTED]

BCNR Liaison, Officer Promotions and  
Enlisted Advancements Division